



IFW

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number	10/518,462
Filing Date	December 22, 2004
First Named Inventor	Yu NAGASE
Art Unit	1626
Examiner Name	R. T. Shiao
Attorney Docket Number	584282000100

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Barry E. Bretschneider		
Date	August 8, 2007	Reg. No.	28,055



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yu NAGASE et al.

Serial No.: 10/518,462

Filing Date: December 22, 2004

For: COMPOUND HAVING
PHOSPHORYLCHOLINE GROUP,
POLYMER THEREOF, AND PROCESS
FOR PRODUCING THE SAME

Examiner: Rei Tsang Shiao

Group Art Unit: 1626

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Action dated July 19, 2007, applicants provisionally elect, *with traverse*, to prosecute Group I, claims 1-4. Applicants also provisionally elect, *with traverse*, the species represented by Formula (I) in which X1 and X2 are both amino groups and A is -COO-.

The alleged basis for the requirement is the Examiner's assertion that "the compounds defined in the claims lack a significant structural element qualifying as the special technical feature that defines a contribution over the prior art, see Arimori et al. US 6,040,415." This statement, which is all the substantive guidance the Examiner offers in the Action as the basis for questioning unity of invention, falls short of the level of information required by MPEP 1893.03(d), which requires the Examiner to "specifically describe[e] the unique special technical feature in each group." The pending Action does not identify the alleged special technical feature(s) mentioned by